

REMARKS

Reconsideration of the pending application is respectfully requested in view of the preceding amendment to the claims, and the following remarks.

1. In the claims

Claims 1, 8, 12 and 14 are currently amended to recite that the first and second transmission channels are “bidirectional.” Support for this amendatory language is clearly found in Fig. 1, as originally filed, by way of the dueling arrows “A” and “B” exemplifying bidirectional data exchange (page 5, line 28 through page 6, line 11).

Entry of the amendment to claims 1, 8, 12 and 14 is respectfully requested in the next Office communication.

2. Rejection of claims 1-8, 11, 12 and 14 under 35 U.S.C. § 102(e) as being anticipated by U.S. patent 5,878,142 (Caputo et al.)

In view of the amendment of claims 1, 8, 12 and 14, this rejection is respectfully traversed on the basis that the Caputo et al. patent fails to disclose or suggest first and second bidirectional transmission channels.

In the response to applicants’ arguments in the panel’s decision, it is readily apparent that the Caputo et al. patent shows in Fig. 5A devices “53” and “57” having “unidirectional” transmission channels. This is evidenced by the single transmission arrows between transmitter 56 and receiver 58, and transmitter 68 and receiver 66. By their very nature, transmitters and receivers are arranged for communication in a single path, as clearly shown by Fig. 5A of the Caputo et al. patent. Nowhere in the Caputo et al. patent is there any description of using first and second bidirectional transmission channels of the type now required by claims 1, 8, 12 and 14.

Because of this observation, the Caputo et al. patent cannot be construed to disclose or suggest each and every feature of the pending claims.

Additionally, it would not be obvious to provide bidirectional transmission channels in the device and user authentication method prescribed by Fig. 5a of the Caputo et al. patent. This is due to the fact that one skilled in the art would be required to remove the transmitters and receivers, and replace these devices with bidirectional transmission channels. Upon a review of the Caputo et al. patent, there is simply no evidence that would motivate one skilled in the art to reconfigure or replace the transmitters and receivers of the device and user authentication method illustrated in Fig. 5A with bidirectional transmission channels.

In view of these observations, it is respectfully submitted that the Caputo et al. patent fails to anticipate each and every limitation required by the pending claims.

Therefore, withdrawal of this rejection is courteously requested.

3. Rejection of claims 6 and 13 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,878,142 (Caputo et al.) in view of U.S. patent 5,878,134 (Handelman et al.)

This rejection is respectfully traversed on the basis that the Handelman et al. patent fails to make up for the basic shortcomings of the Caputo et al. patent. Namely, the Handelman et al. patent does not disclose or suggest first and second bidirectional transmission channels.

Claim 6 depends from claim 1, and claim 13 depends from claim 12, of which claims 1 and 12 were distinguished above from the Caputo et al. patent. Therefore, the Handelman et al. and Caputo et al. patents, whether considered individually or collectively, fail to teach each and every required feature of pending claims 6 and 13.

Accordingly, withdrawal of this rejection is kindly requested.

4. Rejection of claims 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over U.S. patent 5,878,142 (Caputo et al.) in view of U.S. patent 4,837,556 (Matsushita et al.)

This rejection is respectfully traversed on the basis that the Matsushita et al. patent fails to make up for the basic shortcomings of the Caputo et al. patent. Namely, the Matsushita et al. patent does not disclose or suggest first and second bidirectional transmission channels.

Claims 9 and 10 depend from claim 8 of which was distinguished above from the Caputo et al. patent. Therefore, the Matsushita et al. and Caputo et al. patents, whether considered individually or collectively, fail to teach each and every required feature of pending claims 9 and 10.

Accordingly, withdrawal of this rejection is respectfully requested.

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Examiner: Ponnoreay PICH  
Art Unit: 2135

5. Conclusion

In view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is courteously requested that claims 1-14 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the applicants' attorney, the examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Justin J. Cassell", written in a cursive style.

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